

TWENTY-NINTH DAY.

Senate Chamber,
Austin, Texas,
Thursday, February 20, 1913.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Mayes.

Roll called, no quorum present, the following Senators answering to their names:

Present—19.

Brelsford.	McGregor.
Carter.	McNealus.
Collins.	Murray.
Conner.	Nugent.
Cowell.	Real.
Darwin.	Taylor.
Gibson.	Terrell.
Johnson.	Townsend.
Kauffman.	Wiley.
Lattimore.	

Absent—12.

Astin.	Vaughan.
Bailey.	Warren.
Greer.	Watson.
Hudspeth.	Weinert.
Morrow.	Westbrook.
Paulus.	Willacy.

Necessary for a quorum, 21.

ADJOURNMENT

On motion of Senator Johnson, the Senate adjourned until 10 o'clock tomorrow morning.

THIRTIETH DAY.

Senate Chamber,
Austin, Texas,
Friday, February 21, 1913.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Will H. Mayes.

Roll call, a quorum present, the following Senators answering to their names:

Astin.	McGregor.
Brelsford.	McNealus.
Carter.	Morrow.
Collins.	Murray.
Conner.	Nugent.
Cowell.	Real.
Darwin.	Taylor.
Gibson.	Terrell.
Johnson.	Watson.
Kauffman.	Wiley.
Lattimore.	Willacy.

Absent.

Bailey.	Vaughan.
Greer.	Warren.
Hudspeth.	Weinert.
Paulus.	Westbrook.
Townsend.	

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, on motion of Senator Carter, the same was dispensed with.

(See Appendix for petitions and memorials and standing committee reports.)

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, February 20, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 14, A bill to be entitled "An Act to regulate the sale and disposition of spirituous, vinous and malt liquors and medicated bitters capable of producing intoxication, and the places wherein same are sold; imposing an occupation tax upon persons, firms, corporations and associations of persons selling spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication; requiring liquor dealers and other persons to secure license to sell such liquors; and defining retail liquor dealers and regulating the business thereof; requiring retail malt dealers and other persons to secure license to sell malt liquors exclusively, capable of producing intoxication; and defining retail malt dealers and regulating the business thereof; exempting wine growers who sell wine of their own production from the provisions of this act, providing same is not sold to be drunk on the premises where sold, and otherwise regulating such wine growers; regulating the transfer of license of retail liquor dealers and retail malt dealers; prescribing the conditions of the bonds of such retail dealers and the conditions upon which licenses to such dealers and other persons may be issued; providing for the refund of any unearned portion of any license requiring the county clerk to report all licenses granted to the Comptroller of Public Accounts; providing for the revocation under certain conditions of licenses issued; defining intoxicating liquors and providing penalties

for the violation of the provisions of this act; prescribing the method and procedure by which liquor licenses may be obtained, transferred and forfeited, and prescribing the manner for the ascertainment of the facts upon which forfeiture is based and prescribing the duties of the county judge, Comptroller of Public Accounts and the county attorney and other proper officers in regard thereto, and repealing all laws or parts of laws in conflict herewith, requiring licenses to be issued under this act and prescribing the continuation in force of licenses issued under prior laws for sixty days after this act takes effect in order to give time for securing licenses under this act, and providing that credit be allowed upon licenses to be obtained under this act in an amount equal to the unearned portion or part of any existing license."

House bill No. 180, A bill to be entitled "An Act to authorize railway and other transportation companies generating power and having a surplus to sell same."

Senate bill No. 36, A bill to be entitled "An Act to enlarge the jurisdiction of the county court of Harris county for civil cases so as to confer upon it, in addition to the jurisdiction now vested in said court, jurisdiction over misdemeanor criminal cases; and to change the name of said county court of Harris county for civil cases; and providing for the transfer of the misdemeanor criminal cases now pending upon the docket of the criminal district court of Harris county to the docket of said county court; and providing for the compensation of the judge of said court; and providing that the clerk of the criminal district court of Harris county shall attend upon said county court in all criminal matters, and declaring an emergency."

House bill No. 40, A bill to be entitled "An Act to create and establish the county of Kleberg out of a part of Nueces county; prescribing its area and boundaries; appointing commissioners to organize said county and prescribing their duties; providing for a division of said county into commissioners' and justices' precincts; providing for holding county and precinct elections for the election of county and precinct officers, and for holding an election for the purpose of locating the county seat of said county; providing for the attachment of said county to judicial, Representative, Senatorial, Congressional and Supreme Judicial Districts; providing for the terms of the district courts in said

county; regulating the venue of certain cases pending in Nueces county; regulating the service of process and the execution of bonds issued and executed prior to the passage of this act; providing for the assessment and collection of taxes and for the defraying of the expenses of organizing said county and surveying and fixing its boundaries and providing for the payment of the pro rata share of the debt of Nueces county, from which said county is taken; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

House bill No. 61, A bill to be entitled "An Act to amend Sections 1, 2, 3 and 4, Chapter 69, of the General Laws of the Thirty-first Legislature, the same being an act providing the mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in certain counties therein named, or in any subdivision of said counties, so as to include the county of Hardeman, within the provisions of said law and to repeal all laws in conflict herewith, and declaring an emergency," with engrossed riders.

House bill No. 162, A bill to be entitled "An Act to amend Article 6394, Chapter 1, Title 113, providing for the care and custody of that part of the old Alamo Mission property purchased by the State adjoining the building known as the Alamo church, and that same be delivered to the Daughters of the Republic of Texas, to be maintained and remodeled upon plans adopted by them, and providing that no changes or alterations shall be made in the Alamo church proper except such as is necessary for its preservation, and declaring an emergency."

House Concurrent Resolution No. 12, Requesting the Congress of the United States to make necessary appropriation and have necessary steps taken to protect the channel at the port of Galveston.

House bill No. 63, A bill to be entitled "An Act to create a more efficient road system for Hopkins county, Texas, and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as such road commissioners; and providing for the working of county convicts upon the public roads of said county and providing for the amount of compensation in road time to be allowed by the overseers to road hands for teams and road work; and providing for the condemnation of land for public road purposes; and pro-

viding for the working of delinquent poll tax payers on the public roads, and relieving road hands from the performance of road work by the payment of the sum of three dollars; and providing for elections for the issuance of bonds for public road and bridge purposes, and providing for the issuance and sale of such bonds by the commissioners court of said county; and providing further, making this law cumulative of the general laws, and in case of a conflict this act to govern as to Hopkins county, Texas; and repealing the law enacted by the Regular Session of the Twenty-eighth Legislature upon this subject, and declaring an emergency."

House bill No. 84, A bill to be entitled "An Act to authorize the St. Louis Southwestern Railway Company of Texas to purchase, own and operate as a part of its line the railroad of the Stephenville North & South Texas Railway Company, together with all the franchises and property incident or appertaining thereto; and to authorize the Stephenville North & South Texas Railway Company to sell its railroad, together with all the franchises and property incident or appertaining thereto, to the said St. Louis Southwestern Railway Company of Texas, and to authorize the latter company after such purchase of said railroad, to operate the same under its charter as part of its own line, and to extend the lines of road so purchased and to construct branches thereof by amendment to its charter under the General Laws of the State of Texas; and until such purchase is made, to authorize the lease by the St. Louis Southwestern Railway Company of Texas of the railroad and other properties of the Stephenville North & South Texas Railway Company for a term or terms not exceeding fifty years; and until such purchase is made, to authorize the St. Louis Southwestern Railway Company of Texas to purchase and own the capital stock of the Stephenville North & South Texas Railway Company, and to regulate the reports and operations of said railroad and property after the lease or purchase thereof; and to authorize said railway companies to execute all necessary contracts, agreements and conveyances to accomplish said purchase and sale, and declaring an emergency."

Senate bill No. 129, A bill to be entitled "An Act to provide that owners of public free school lands, purchased from the State after January 1, 1907, and prior to January 1, 1913, on consideration of settlement and residence, which land

may hereafter be forfeited for the non-payment of interest, shall have a right to purchase the same after forfeiture and prescribing the terms and conditions of such purchase and the sale of such land as may not be reinstated or repurchased, and declaring an emergency."

Also, the House concurs in Senate amendments to House bill No. 231 by the following vote: Yeas 107, nays 0.

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

HOUSE BILLS ON FIRST READING.

The Chair, Lieutenant Governor Mayes, referred, after their captions had been read, the following House bills.

House bill No. 14, referred to Judiciary Committee No. 2.

House bill No. 180, referred to Committee on Internal Improvements.

House bill No. 61, referred to Committee on Stock and Stock Raising.

House bill No. 40, referred to Committee on Counties and County Boundaries.

House bill No. 162, referred to Committee on Public Buildings and Grounds.

House bill No. 63, referred to Committee on Roads, Bridges and Ferries.

House bill No. 84, referred to Committee on Internal Improvements.

House Concurrent Resolution No. 12. Referred to Committee on Internal Improvements.

EXCUSED.

Senator McNealus moved that the committee, previously appointed to visit the Gatesville Reformatory. Senators Real, Brelsford and Terrell, be excused for today, in order to meet the House Committee at Gatesville.

The motion prevailed.

SIMPLE RESOLUTION.

By Senator Morrow:

Resolved, That the Sergeant-at-Arms be requested to have the Senate Chamber, committee rooms and other rooms fumigated after adjournment Saturday afternoon, and that the Chamber be kept closed until Sunday afternoon while the Senators go to church, when it shall be opened up and well aired, and that he consult the State Health Officer as to the practicability and method of fumigation.

Signed by Senators Real, Astin, Ter-

rell, Collins, Carter, Darwin, McNealus, Willacy, Murray, Nugent, Conner, Morrow, Gibson, Cowell, Johnson, Lattimore, Taylor, Brelsford, Wiley, Watson, Kauffman and McGregor.

The resolution was read and adopted.

BILLS AND RESOLUTIONS.

By Senator Carter:

Senate bill No. 302, A bill to be entitled "An Act to prohibit fire insurance companies defeating liability for loss and damage to personal property under technical and immaterial provisions of the policy or contract of insurance that had not contributed to bring about the loss and defining the rights of the insured under policies or contracts of insurance upon personal property, and declaring an emergency."

Read first time and referred to Committee on Insurance, Statistics and History.

By Senator Murray:

Senate bill No. 303, A bill to be entitled "An Act to amend Article 257, Chapter 2, Title 6, of the Penal Code of the State of Texas of 1911, relating to and prescribing penalties for corporations or officers thereof, who directly or indirectly, furnish, loan or give any money or thing of value to aid those who manage the political campaign of any candidate or candidates, or to any campaign manager, or to any particular candidate or person, to promote the success of such candidate for public office, and to apply the provisions of said article to all persons and corporations required to obtain a permit or a license from the State to do business in this State."

Read first time and referred to Judiciary Committee No. 2.

By Senator Murray:

Senate bill No. 304, A bill to be entitled "An Act empowering the city commission or city council of any city or town in the State to prescribe the districts within which intoxicating liquors may be sold within such city or town, and prescribing penalties for the violation of this act."

Read first time and referred to Judiciary Committee No. 2.

By Senator Murray:

Senate bill No. 305, A bill to be entitled "An Act to amend Chapter 1, Title 88, of the Revised Civil Statutes of 1911, by adding thereto Article 5730a, providing

that when the people of any county or subdivision thereof vote on local option and it is defeated, the people of such county or any subdivision thereof, may petition the commissioners court, in like manner as they petition for a local option election, and ask for an election to determine whether or not the sale of intoxicating liquors shall be confined to unbroken packages, and the drinking of same be prohibited on the premises where sold."

Read first time and referred to Judiciary Committee No. 2.

By Senator Wiley:

Senate bill No. 306, A bill to be entitled "An Act prohibiting carnal intercourse of a father with his son's wife; and providing penalty therefor, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Wiley:

Senate bill No. 307, A bill to be entitled "An Act to amend Article 490, Title 10, Chapter 3, of the Revised Criminal Statutes of Texas, 1911, entitled 'Adultery Defined,' so as to eliminate the word 'habitual,' and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Brelsford:

Senate bill No. 308, A bill to be entitled "An Act to prevent compulsory prostitution of women."

Read first time and referred to Judiciary Committee No. 2.

By Senator Brelsford:

Senate bill No. 309, A bill to be entitled "An Act to exempt from taxation the buildings and other property owned and operated by the Young Men's Christian Association and the Young Women's Christian Association, where such property is used exclusively for furthering the interests of religious work and not for profit, and where such associations are operated with the approval and co-operation of the State and International Young Men's Christian Association committees and the Young Women's Christian Association committees, and in accord with the provisions and purposes of the association in furthering religious work."

Read first time and referred to Committee on State Affairs.

By Senator Johnson:

Senate bill No. 310, A bill to be entitled "An Act to amend Section 1, of Chapter

6, of the Special Laws of the First Called Session of the Thirty-second Legislature, entitled 'An Act creating the Lakeview Independent School District in Hall county, Texas, providing for a board of trustees in said independent school district and conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of the State upon independent school districts and board of trustees thereof and declaring an emergency,' for the purpose of correcting and better defining the boundaries thereof, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Johnson:

Senate bill No. 311, A bill to be entitled "An Act creating the Roaring Springs Independent School District, in Motley county, Texas, defining its boundaries, providing for the election of a board of trustees to manage and control the public free schools within said district, investing said district with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only, under the general laws, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Johnson:

Senate bill No. 312, A bill to be entitled "An Act to amend Chapter 11, of the General Laws of Texas, First Called Session of the Twenty-ninth Legislature, 1905, entitled 'An Act to regulate elections and provide penalties for violation, and to repeal the acts of the Twenty-eighth Legislature of 1903, regulating elections, general, special and primary and political conventions, approved April 1, 1903,' by adding thereto Sections 140a, 140b, 140c and 140d; providing for recount of the vote in all primary elections by the commissioners courts, and providing for the expense incident thereto, and also to amend Section 141 of said Chapter 11, as amended by Chapter 26, Regular Session of the Thirty-first Legislature, approved May 21, 1909, relative to contest in primary election, and declaring an emergency."

Read first time and referred to Committee on Privileges and Elections.

By Senator Nugent:

Senate bill No. 313, A bill to be entitled "An Act to prevent filing on as part of the public domain, surveying and issu-

ing patents to land, and to provide a penalty for the violation thereof."

Read first time and referred to Committee on Public Lands and Land Office.

By Senator Nugent:

Senate bill No. 314, A bill to be entitled "An Act to prohibit any retail dealer in spirituous, vinous or malt liquors or medicated bitters from locating or operating his place of business, and from selling any spirituous, vinous or malt liquors or medicated bitters within two miles of any local option line or boundary of any territory in which local option is in force unless the same shall be within the corporate limits of an incorporated city or town; providing a penalty therefor, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Nugent:

Senate bill No. 315, A bill to be entitled "An Act to authorize and empower the State Normal Schools Board of Regents of the State of Texas to acquire by purchase or condemnation for the use and benefit of any State normal school, which now is or may hereafter be, under the control of said board of regents, such lands within the counties where such schools, or either of them, are now or may hereafter be located, as they may deem expedient for sites on which to erect and maintain buildings, and for the extension of the campus and other purposes in the conduct of any of the said State normal schools, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senators Lattimore and Cowell:

Senate bill No. 316, A bill to be entitled "An Act to aid in the collection of unpaid taxes; to forbid and prevent the issuance of tax receipts for current taxes when there are unpaid back taxes, providing penalties and making law cumulative, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Cowell:

Senate bill No. 317, A bill to be entitled "An Act to amend Article 1133 of the Code of Criminal Procedure by adding a proviso thereto."

Read first time and referred to Judiciary Committee No. 2.

By Senator Cowell (by request):

Senate bill No. 318, A bill to be entitled

"An Act to amend Articles 1180 and 1181, Chapter 2, of the Revised Criminal Statutes of the State of Texas, defining slander, fixing the penalty therefor, prescribing the method of procedure in prosecutions therefor, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Kauffman:

Senate bill No. 319, A bill to be entitled "An Act to provide for the establishment and maintenance of an agricultural experiment station at Alta Loma, Texas, for the purpose of conducting experiments in fruits, vegetables, grains and other farm crops, and studying soil problems in Galveston county and contiguous counties in the Gulf coast region of Texas, and disseminating useful information, making necessary appropriation therefor, and declaring an emergency."

Read first time and referred to Committee on Agricultural Affairs.

By Senator Darwin:

Senate bill No. 320, A bill to be entitled "An Act to reorganize the Fifth and Seventh Judicial Districts, and to create the Seventy-third Judicial District, and fix the time of holding courts in said districts; and fix the jurisdiction of the court for the Seventy-third Judicial District of Texas; and provide for the appointment of a judge and district attorney for said Seventy-third Judicial District; and to repeal all laws in conflict therewith, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Morrow:

Senate bill No. 321, A bill to be entitled "An Act to amend Article 1212, Chapter 6, of the Revised Statutes of the State of Texas, enacted in the year 1911, and repealing the law requiring assignments of error in civil cases and providing that motion for new trial in such cases shall constitute the assignments of error and repealing all laws in conflict therewith, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator Morrow:

Senate bill No. 322, A bill to be entitled "An Act to prohibit corporations created for the purpose of constructing and maintaining magnetic, telegraph or telephone lines to set their poles, piers, abutments, wires and other fixtures, upon, along or across, any of the public

roads, streets and waters of this State, without first obtaining permission so to do."

Read first time and referred to Committee on Internal Improvements.

By Senator Collins:

Senate bill No. 323, A bill to be entitled "An Act fixing the commission and fees allowed executors and administrators of estates of decedents and repealing all laws and parts of laws in conflict herewith, and creating an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator Collins:

Senate bill No. 324, A bill to be entitled "An Act to provide for the creation of farmers' county public libraries, prescribing the method to be pursued, and making it the duty of the commissioners court to prescribe rules and regulations for the management thereof."

Read first time and referred to Committee on Educational Affairs.

By Senator Collins:

Senate bill No. 325, A bill to be entitled "An Act to amend Article 205 of the Penal Code of the State of Texas, prohibiting drinking intoxicating liquors on any motor car, or street car for the use of passengers, or in the closets, or vestibules or on the platforms thereof, or in passenger depots, or in the closets thereof, or in any public place in this State; provided penalties for violation of this act, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Collins:

Senate bill No. 326, A bill to be entitled "An Act to amend Article 909, Title 13, of Chapter 6, of the Penal Code of the State of Texas, adopted at the Regular Session of the Thirty-second Legislature, 1911, so as to repeal in part the provision in said article by which it is made unlawful for any person to have in his or her possession, or to sell or ship any red fish more than twelve pounds in weight, and repealing all laws and parts of laws in conflict with this act."

Read first time and referred to Judiciary Committee No. 2.

By Senator Watson:

Senate bill No. 327, A bill to be entitled "An Act amending Article 4790 of Chapter 3, of Title 71, Revised Civil Statutes of Texas, 1911."

Read first time and referred to Com-

mittee on Insurance, Statistics and History.

By Senator Watson:

Senate bill No. 328, A bill to be entitled "An Act to amend Article 1004, Revised Statutes, of 1911."

Read first time and referred to Committee on Internal Improvements.

By Senator Lattimore:

Senate bill No. 329, A bill to be entitled "An Act regulating the granting of divorces and decrees of separation in this State and fixing of the status of property and of the rights of children in such cases; repealing conflicting laws, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 1.

By Senator McGregor:

Senate bill No. 330, A bill to be entitled "An Act to amend Sections 1, 2, 3 and 6 of Chapter 77 of the General Laws of the Thirty-second Legislature, approved March 17, 1911, and entitled 'An Act to provide for the location, establishment and maintenance of two colonies for the treatment of persons suffering from tuberculosis, and to provide for the care and treatment of indigent consumptives, and making an appropriation therefor; defining a citizen as used in this act, and declaring an emergency,' and providing and emergency."

Read first time and referred to Committee on Public Health.

By Senators Lattimore and McNealus:

Senate bill No. 331, A bill to be entitled "An Act to amend Article 5715, Title 88, Chapter 1, of the Revised Civil Statutes of 1911, relating to local option."

Read first time and referred to Judiciary Committee No. 2.

COMMITTEE REPORT RELATING TO FORFEITURE OF CERTAIN LANDS.

Senator Murray called up from the President's table the committee report by the Committee on Public Lands and Land Office, reporting favorably a simple resolution relating to the suspension of forfeiture of certain lands until questions of law and facts can be determined, etc. The committee report was favorable to the resolution and the same was adopted.

Morning call concluded.

SENATE BILL NO. 228 MADE SPECIAL ORDER.

(By Unanimous Consent.)

On motion of Senator Watson, Senate bill No. 228, known as the Alamo bill, was made a special order for next Thursday morning after the conclusion of the morning call.

SIMPLE RESOLUTION.

By Senator Lattimore:

Whereas, Dr. W. L. Bringhurst, Superintendent of the State Orphan Home at Corsicana, Texas, on last Tuesday ended in death a long, useful and distinguished life of public and private service, and

Whereas, His example and teaching as an educator, a citizen, a soldier, a public servant and a private citizen, has been such as to deserve our highest commendation, therefore be it

Resolved, by the Senate of Texas, that we express our sincere appreciation of Dr. Bringhurst in every capacity and express our deep sense of loss in his death and that we convey to his family our sincere sympathy in this, their great bereavement, and that the Secretary of the Senate be instructed to send a copy of this resolution to his wife and family.

The resolution was read and adopted.

HOUSE CONCURRENT RESOLUTION NO. 12.

(By Unanimous Consent.)

The Chair laid before the Senate

House Concurrent Resolution No. 12, Requesting the Congress of the United States to make necessary appropriation and have necessary steps taken to protect the channel at the port of Galveston.

On motion of Senator Kauffman, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this resolution. (See Appendix for committee report.)

On motion of Senator Kauffman, the committee report, which provided that the resolution be not printed, was adopted.

The resolution was read and adopted.

REFUSE TO RECESS.

Senator Carter, at 12 o'clock m. moved that the Senate recess until 2

o'clock today. Senator Watson moved as a substitute that the Senate recess until 2:30 o'clock today.

Both motions were lost.

SENATE BILL NO. 202.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 202, A bill to be entitled "An Act to provide for an agricultural exhibit at the Panama-Pacific Exposition, making an appropriation therefor, and declaring an emergency."

The bill was read, and Senator Carter offered the following amendment:

Amend the bill, page 1, by striking out "\$2,500" in lines 22 and 23, and inserting in lieu thereof "\$5,000."

Senator Watson offered the following substitute for the amendment:

Amend the bill by striking out "\$2,500" where it occurs in the bill and in lieu thereof insert "\$25,000."

RECESS.

On motion of Senator Murray the Senate, at 12:30 o'clock p. m. recessed until 2:30 o'clock today.

AFTER RECESS.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Mayes.

SENATE BILL NO. 202.

Action recurred on Senate bill No. 202, the question being on the substitute amendment by Senator Watson for the amendment by Senator Carter.

Pending discussion it was agreed to lay the bill on the table subject to call.

SENATE BILL NO. 204.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 204, A bill to be entitled "An Act defining and creating the occupation of contracting stevedore; requiring all such to execute bond payable to the county judge, conditioned to protect and pay wages to laborers employed by

such contracting stevedores in loading and unloading ships, vessels and other water crafts, and requiring all such to obtain a license before engaging in such occupation in each county in which they pursue it; making it unlawful to pursue said occupation without first giving bond and obtaining the license, and punishing such as a misdemeanor by fine, and declaring an emergency."

The bill was read second time and passed to engrossment.

SENATE BILL NO. 72.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 72, A bill to be entitled "An Act to amend Article 5644, Chapter 4, Title 68, Revised Statutes, of 1911, General Laws of 1897, Acts of Twenty-sixth Legislature, same being 'An Act to protect accountants, mill bookkeepers, artisans, craftsmen, factory operatives, mill operatives, servants, mechanics, quarrymen, common laborers and farm hands; to provide a lien, and prescribe the time of payments, and in lawful money of the United States; and prescribing the rights of the assignees of such persons, etc.,' by adding to the kind of character of such laborers or persons and laborers who may perform any service in like manner in the cutting, preparation, handling, hauling or transporting to any mill or other point for sale, manufacture or other disposition logs or other timber, and all laborers who may in like manner perform any service upon any wagons, carts, tram or railroad, or other means or method of transporting such logs or timber, and in the construction or maintenance of such tram or railroad, constructed or used for the transportation of logs or timber to or for such mill or its owner or operator, or to points for sale, shipment or other disposition, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read and Senator Nugent offered the following amendment, which was read and adopted:

Amend the bill, page 1, line 7. by striking out the figure "68," in the caption, and inserting "86," also striking out figures "68," in line 28, page 1, and insert in lieu thereof "86."

Senator Nugent offered the following amendment, which was read and adopted:

Amend the bill, page 3, line 1, by striking out the figures "66" and inserting in lieu thereof "86."

Senator Nugent offered the following amendment, which was read and adopted:

Amend the bill, page 1, line 31, by inserting before the word "that" the following: "Article 5644."

The bill was passed to engrossment.

SENATE BILL NO. 189.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading

Senate bill No. 189, A bill to be entitled "An Act authorizing the establishment of county hospitals and dispensaries, providing for elections for bond issues and the issuance of bonds for the cost of erection of same and providing revenue for maintaining and managing same, and declaring an emergency."

The bill was read and Senator Kauffman offered the following amendment, which was read and adopted:

Amend caption by adding in line 10, after word "same," the following: "providing for the appointment of a board of managers."

Senator Kauffman offered the following amendment, which was read and adopted:

Amend Section 1 by striking out the present section and substituting:

Section 1. The commissioners court of any county shall have power to establish a county hospital, and to enlarge any existing hospitals for the care and treatment of persons suffering from any illness, disease or injury. The commissioners court of such county may, without being petitioned to do so, at such time as it may deem proper, not oftener than once in twelve months, submit to the property taxpaying voters of such county the proposition of issuing bonds for the construction or purchase of the necessary building and locations for, or additions to, such county hospital. At intervals of not less than twelve months five per cent of the qualified voters of the county may petition the commissioners court of such county to provide for the establishment or enlarging of a county hospital, in which event it shall be the duty of said commissioners court within the time designated in such petition to submit to the property taxpaying voters of the county either at a special or at the regular election, the proposition of issuing bonds in such aggregate

amount as may be designated in said petition for the establishment or enlargement of such hospital; and whenever any such proposition shall receive a majority of the votes of the qualified property taxpayers voting at such election said commissioners court shall establish and maintain such hospital, and shall have the following powers:

To purchase and lease property therefor, or acquire such real property, and easements therein, by condemnation proceedings in the manner prescribed by the present law authorizing a condemnation of right of way of railroads.

To purchase or erect all necessary buildings, make all necessary improvements and repairs, and alter any existing buildings, for the use of said hospital, provided that the plans for such erection, alteration or repairs shall first be approved by the State Health Officer if his approval is requested by the said commissioners court.

To cause to be assessed, levied and collected such taxes upon the real and personal property owned in the county as it shall deem necessary to provide the funds for the maintenance thereof; and for all of the necessary expenditures therefor.

To issue county bonds, to provide funds for the establishing, enlarging and equipping of said hospital, and for all other necessary permanent improvements in connection therewith.

And to do all other things that may be required by law in order to render said bonds valid.

To appoint a board of managers for said hospitals as hereinafter provided.

To accept and hold in trust for the county, any grant or devise of land, or any gift or bequest of money or other personal property or any donation to be applied, principal or income, or both, for the benefit of said hospital, and apply the same in accordance with the terms of the gift.

Senator Lattimore offered the amendment to the amendment:

Amend amendment, line 10, by inserting after the word "qualified" the following: "property tax paying."

The amendment to the amendment was adopted.

Further consideration of the bill was postponed temporarily.

SENATE BILL NO. 150.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 150, A bill to be entitled "An Act fixing the salaries of the Judges of the Supreme Court and the Court of Criminal Appeals and the Court of Civil Appeals in the State, and declaring an emergency."

The bill was read and Senator Carter offered the following amendment:

Amend the bill by striking out the figures "\$7,500" and "\$625" in line 14 and insert in lieu thereof "\$6,000" and "\$500."

And by striking out "\$6,000" in line 16, and "\$500" in line 17, and insert in lieu thereof "\$4,500" and "\$375."

CARTER.
NUGENT.

Senator Johnson offered the following amendment to the amendment:

Amend the amendment by striking out the figures 4,500 in line 16 and inserting in lieu thereof the figures \$4,000, and by striking out the figures \$450 in line 17 and inserting in lieu thereof the figures \$333.33.

Senator Watson moved to table the amendment to the amendment, which motion to table was adopted.

Senator Willacy offered the following amendment to the amendment:

Amend by striking out the figures "\$6,000" and insert the figures "\$5,000," and to strike out the figures "\$500" and insert the figures "\$416.66."

Senator Watson moved to table the amendment to the amendment, which motion to table was lost.

The amendment to the amendment was adopted.

The amendment, as amended, was adopted.

Senator Murray offered the following amendment:

Amend the bill by adding at end of Section 1 the following: "Provided this bill shall take effect and be in force from and after January 1, 1915."

Senator Johnson offered the following amendment to the amendment:

Amend the amendment that this increase in salary shall not be in effect until the expiration of six years from the last general election.

Senator Watson moved to table the amendment and the amendment to the amendment, which motion to table prevailed.

Senator Conner offered the following amendment:

Amend the bill by striking out "\$4,500" in line 16 and inserting in lieu thereof "\$4,200," and striking out

"\$375" and inserting in lieu thereof "\$350."

Senator Watson made the point of order on the amendment holding that an amendment similar to it had already been acted on.

The Chair overruled the point of order.

Senator Watson moved to table the amendment, which motion to table was adopted.

Senator Johnson offered the following amendment:

Amend the bill by striking out all of line 10.

On motion of Senator Watson the amendment was tabled.

Senator Wiley offered the following amendment:

Amend the bill as follows: "The increase in salary provided for herein shall not be effective and payable until after the expiration of the present terms of office of the various incumbents and their successors shall have been elected."

Senator Watson moved to table the amendment, which motion to table was adopted.

The bill was passed to engrossment.

SENATE BILL NO. 269.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading

Senate bill No. 269, A bill to be entitled "An Act to amend Subdivision 45 of Article 1121 of Title 25 of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-second Legislature, so extending the powers of sanitariums as to allow the ownership of real estate, the developing of irrigation, the ownership of hotels and bath houses and outdoor sports for its patients."

The bill was read, and Senator McGregor offered the following amendment, which was read and adopted:

Amend the bill by adding a new section as follows:

"Section 2. The fact that the law authorizing the erection and maintenance of sanitariums as it now exists is inadequate to meet the demands necessary in the operation of a sanitarium and for that reason said law is practically inoperative and an emergency and an imperative public necessity is created to make the suspension of the constitutional rule requiring bills to be read on three several days necessary, and said rule is hereby suspended, and that

it take effect and be in force from and after its passage, and it is so enacted."

Senator McGregor offered the following amendment, which was read and adopted:

Amend the caption by adding, "and declaring an emergency."

Senator McGregor offered the following amendment, which was read and adopted:

Amend the bill by striking out the words, "to add to said subdivision the following words" in lines 17 and 18 and insert between the word "as" in line 17 and the word "with" in line 19, the following, so that said section shall read as follows: "45. The erection and maintenance of sanitariums."

Senator Wiley offered the following amendment, which was read and adopted:

Amend the bill by inserting in line 28, page 1, after the word "families" the following: "Provided such corporation shall not own or control more land than is necessary for the actual conduct and control of a sanitarium."

The bill was passed to engrossment.

RECESS.

On motion of Senator Carter the Senate, at 5:40 o'clock p. m. recessed until 10 o'clock tomorrow morning, February 22.

AFTER RECESS.

(Saturday, February 22.)

The Senate was called to order at 10 o'clock a. m., Lieutenant Governor Mayes presiding.

In recognition of the birthday of George Washington, on assembling the Chair announced that owing to difficulties which the Legislature had encountered which had enforced a period of idleness on the body, the Senate found itself reluctantly disposed to work on this, the anniversary of the birth of General Washington. He therefore deemed it would be appropriate to in some manner honor the occasion and he invited Senator Lattimore to read before the Senate a poem dedicatory to the spirit of the time and composed by Mrs. J. C. McNealus, wife of Senator McNealus of Dallas.

The poem appeared in the Dallas Democrat.

At the conclusion of the reading of the poem, Senator Willacy offered the following resolution:

Resolved, That the Senate do hereby extend its thanks and congratulations to Mrs. J. C. McNealus of Dallas for her splendid contributions to the patriotic literature of our country, uniting as it does the memories of this historic past with the weighty thoughts of advancing years, and that the poem, entitled "The Old Virginia Reel," be printed in the Journal.

The resolution was read and unanimously adopted by a rising vote.

Following is the poem in full:

THE OLD VIRGINIA REEL.

(February 22, 1799: the date of the marriage of Nellie Custis to Lawrence Lewis.)

(By Virginia Quitman McNealus.)

Far in the dusty corridors assigned to
Father Time,
There are echoes still awaiting to be
caught in prose and rhyme;
There is one that comes astealing
through the quiet nights of June,
'Tis the twanging and the thumping of
an old familiar tune.
And I listen to its numbers, and my
heart begins to feel
The scraping of the fiddles in the old
Virginia Reel.

All the loved historic relics from the
old hall disappear
And warn Mount Vernon Regents they
must keep away this year;
'Tis a human habitation, with its portals
open wide
To the old-time friends and neighbors
from the hills and countryside.
They come not to gaze at relics, but to
shake the lightsome heel
In Washington's great banquet-hall, to
the old Virginia Reel.

There is Mistress Sally Fairfax in a
gown of gold brocade,
Going lightly down the center in a
swinging promenade;
And pretty Nellie Custis, who curtsies
in the dance
To the Marquis de Lafayette, from the
old court life in France;
And sweet Mistress Betty Cary, to whom
the beaux all kneel;
They have met once more together in
the old Virginia Reel.

Ah, the lovely Kitty Duer from Manhat-
tan's famous town,
With patch and powder, silken hose, and
shimmering satin gown!

And Annie Aylett's stately form to her
cavalier bends low;
'Twas thus Mount Vernon's Regents met
a hundred years ago.
Patch and powder and silken gowns, and
swords of burnished steel,
Kept time to this same measure in the
old Virginia Reel.

In this merry, old-time revelry, did these
light hearts engage,
With Youth and Romance writing down
a line for history's page;
When autocrats with stately mien, high
heads, and smiling lips,
Gave to young Democracy the grace of
finger tips.
Although long ago this was, yet Time
cannot conceal
Young Republic's graciousness in the old
Virginia Reel.

* * * * *

Now silence covers all things, and with
darkness doth combine
In the banquet-hall of Pleasure where
History's built a shrine.
No sound of fiddle-strings is heard on
fair Mount Vernon's crest,
For old Potomac guards the key while
the dancers take their rest.
Yet while gazing at the relics, to my
heart they still reveal
Faint echoes of the revelry in the old
Virginia Reel.

SENATE BILL NO. 213.

(By Unanimous Consent.)

The Chair laid before the Senate, on
second reading,

Senate bill No. 213, A bill to be entitled
"An Act granting to Green and Wel-
hausen, a firm composed of William
Green of Shiner, Lavaca county, Texas,
and Philip Welhausen of Yoakum, La-
vaca county, Texas, power, privilege and
authority to erect, build, construct,
maintain and operate two dams across
the Guadalupe river in DeWitt or Gon-
zales county, Texas, one at any point on
said river within one mile above or below
the county line dividing Gonzales and
DeWitt counties where said county line
crosses the Guadalupe river, and on the
Jesse McCoy and James Hughes original
surveys of land, fronting the Guadalupe
river from the east side thereof, and the
other dam to be erected at some point on
the K. W. Barton original survey in De-
Witt county, Texas, where said survey
fronts the Guadalupe river on the east
side thereof, and in connection with each

of said dams to erect reservoirs, lakes,
locks, abutments, buildings and machin-
ery; and to grant the said Green and
Welhausen the privilege and right to use
all of the land and water and riparian
rights, and all the rights of every char-
acter of the State of Texas in, to and
adjacent to said Guadalupe river between
the points above mentioned, including
especially such rights in its bed, chan-
nel, banks, waters, falls, powers and cur-
rent, granting and conferring upon said
partnership the power, authority and
privilege to dam and overflow the water
of said Guadalupe river and its tribu-
taries at the points above mentioned and
up said stream from said points of said
dams as far as the back water or reser-
voirs of such dams would extend; and in
any manner to deepen, lower, drain and
excavate the channel, bed and banks of
said Guadalupe river from said dams
across said Guadalupe river as far back
as any water or reservoir will extend
and to back the water in said Guadalupe
river and its tributaries up to the said
river above mentioned to any height, and
declaring an emergency."

The bill was read and passed to en-
grossment.

SENATE BILL NO. 295.

(By Unanimous Consent.)

The Chair laid before the Senate, on
second reading,

Senate bill No. 295, A bill to be entitled
"An Act to authorize and empower San
Patricio county or any political subdivi-
sion or any defined district now or
hereafter to be described and defined, of
said county by a vote of a two-thirds
majority of the resident property tax
payers, qualified voters of such county
or political subdivision or any defined
district now or hereafter to be described
and defined, thereof, voting thereon to
issue bonds to any amount, not exceed-
ing one-fourth of the assessed valuation
of the real property of such county or
of such political subdivision or any
defined district now or hereafter
to be described and defined, and
to levy and collect taxes to pay the
interest on such bonds and to provide
a sinking fund for the redemption there-
of, and declaring an emergency."

On motion of Senator Willacy the
committee report, which provided that
the bill be not printed was adopted.

The bill was read second time and
passed to engrossment.

SENATE BILL NO. 95.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 95, A bill to be entitled "An Act to provide that purchasers of free school land in certain counties may transfer same in one-sixteenth of a section tracts or multiples thereof, and declaring an emergency."

The bill was read second time and passed to engrossment.

SENATE BILL NO. 134.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 134, A bill to be entitled "An Act to amend Article 1830, Title 37, Revised Statutes 1911, by striking out exception 4, and adding in lieu thereof the following: Where there are two or more defendants residing in different counties in which case the suit may be brought in any county where any one of the defendants reside. Provided, that the transfer or assignment of any note or chose of action shall not give any subsequent holder the right to institute suit in any other county or justice precinct than the county or justice precinct in which such suit could have been prosecuted if no assignment or transfer had been made."

The bill was read second time and passed to engrossment.

SENATE BILL NO. 220.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 220, A bill to be entitled "An Act to authorize the qualified voters of any county or political subdivision thereof in this State to determine by an election to be held for that purpose, whether or not pool rooms or pool halls shall be prohibited in such county or subdivision thereof; to provide the manner of holding elections for such purpose and declaring the result thereof; defining the term pool room or pool hall, and providing a penalty for the violation of the provisions of this act; and providing that after such county or subdivisions thereof has prohibited by vote the running of pool rooms or pool halls the county attorney of such county,

or the district attorney of the district in which such county is located may by injunction prohibit the running of such pool rooms or pool halls, and declaring an emergency."

The bill was read and Senator Johnson offered the following amendment, which was read and adopted:

Amend the bill, line 25, page 1, by striking out the word "or" in said line and inserting in lieu thereof the word "of."

Senator Johnson offered the following amendment, which was read and adopted:

Amend the bill, line 19, page 2, by inserting the word "be" after the word "shall."

Senator Johnson offered the following amendment, which was read and adopted:

Amend bill by striking out, in line 8, page 4, the word "he" and inserting in lieu thereof the word "the."

Senator Lattimore offered the following amendment, which was read and adopted:

Amend the bill, page 1, line 24, by striking out the word "fifty" and inserting in lieu thereof the following, "a number of the qualified voters equal to twenty per cent of the."

Senator Hudspeth offered the following amendment, which was read and adopted:

Amend the bill by striking out, in line 24, page 1, the words "two hundred" and insert in lieu thereof "ten per cent of the."

Senator Johnson offered the following amendment, which was read and adopted:

Amend the bill, page 8, line 3, by adding at the end of said line the words "and each day such pool hall or pool room is run shall be a separate offense."

Senator Watson offered the following amendment, which was read and adopted:

Amend the bill, page 7, line 26, by striking out the words, "or otherwise," and insert in lieu thereof the following: "revenue, prizes, fees, or gain of any kind."

Senator Watson offered the following amendment:

Amend Section 12 by striking out the words "or billiards," in line 25.

On motion of Senator Hudspeth the amendment was tabled.

Senator Watson offered the following amendment:

Amend Section 12 by adding at the

end thereof the following: "or any house or place where prostitutes reside or commonly resort for the purpose of plying their vocation."

On motion of Senator Johnson the amendment was tabled.

Senator Morrow moved that further consideration of the bill be postponed until 4 o'clock today.

Senator Johnson moved to table the motion to postpone, which motion to table prevailed.

The bill was passed to engrossment.

REASON FOR VOTE.

I vote "nay" and against the passage of this bill No. 220, because the same is clearly unconstitutional, under the authority of the case of Swisher against the State, reported in the Seventeenth Texas Report, page 441. To pass a bill such as this, in the very teeth of the Constitution, so tersely and lucidly applied and explained as is done in the case cited, would, to me, be a violation of my sense of duty, rather than a discharge of a sentimental idea resting upon wrong principles.

McGREGOR.

SENATE BILL NO. 294.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 294, A bill to be entitled "An Act to incorporate the New Braunfels Independent School District in Comal county, Texas, for free school purposes only, the boundaries to be identical with the limits and boundaries of the city of New Braunfels; divesting the city of New Braunfels of the control of its public schools and title to school property, and vesting the same in the said New Braunfels Independent School District and its board of school trustees, providing for a board of school trustees for the control and management of the said independent school district; prescribing the rights, powers, privileges, and duties of the said New Braunfels Independent School District and its board of school trustees; providing for a treasurer of school funds of the district, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

SENATE BILL NO. 221.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 221, A bill to be entitled "An Act to make it unlawful to sell, barter or exchange spirituous, vinous, and malt liquors or medicated bitters in quantities of one gallon or less, in any place in this State, other than a legally licensed saloon; defining a legally licensed saloon, naming certain places where such sales may not be made; forbidding such acts to be done by indirection; requiring legally licensed saloons to have signs of certain character, at certain places; fixing penalties; providing for injunction in certain cases; making act cumulative of existing laws, and declaring an emergency."

The bill was read second time and passed to engrossment.

BILLS AND RESOLUTIONS.

(By Unanimous Consent.)

By Senator Collins:

Senate bill No. 332, A bill to be entitled "An Act to create the South Park Independent School District, known as Common School District No. 6, in Jefferson county, Texas; to provide for the election of trustees for the raising of revenue, issuing bonds, building and maintaining public free schools, declaring valid an issue of bonds heretofore made, and declaring an emergency, and repealing all laws in conflict herewith."

Read first time and referred to Committee on Educational Affairs.

By Senator Willacy:

Senate bill No. 333, A bill to be entitled "An Act to authorize Nueces county to build, construct, own, lease and maintain a causeway, or combination roadway and bridge from the mainland on the south shore of Nueces or Corpus Christi Bays to the north shore of said bays, or either of them to connect San Patricio county, and for the said Nueces county to issue bonds of said county for same and to levy and collect a special tax of fifteen cents authorized by Article 8, Section 9, of the Constitution, on the one hundred dollars valuation of the taxable property in said county; providing for condemnation proceedings and for the right of way, authorizing said Nueces county to lease right of easement of user of a portion of said road

and bridge on terms to be prescribed by the commissioners court of said county; authorizing by vote, the levy of a tax and the issuance by said county of coupon bonds for the purpose of constructing, maintaining or operating macadamized, gravelled or paved roads; adopting certain provisions of the general law, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Willacy:

Senate bill No. 334, A bill to be entitled "An Act to authorize the Corpus Christi Ice and Electric Company to acquire, purchase and hold and operate either, all or any of the physical property, franchise and good will owned and held by the People's Light Company, either all or any of the physical property, real and personal, choses in action and franchises belonging to any individual, person or persons, and used, or to be used by him or them as an electric light and power plant in the city of Corpus Christi; the franchise or franchises of any corporation or individual, person or persons, granted by the city of Corpus Christi, granting to it the right, privilege and franchise to operate a street car line or system in the streets or thoroughfares of said city and in territory adjacent thereto, and any of or all and singular the lines of street railway, real estate and physical property of such corporation, individual, individuals, or person or persons used by him or them in connection with or incident to a street car line or system in said city, and legalizing the sale of said properties to said Corpus Christi Ice and Electric Company by said corporation and individuals, and granting said corporation the right to operate said properties, repealing all laws in conflict, in so far as same may conflict with the provisions of this act, and declaring an emergency."

Read first time and referred to Committee on Internal Improvements.

By Senators Lattimore and Townsend:

Senate bill No. 335, A bill to be entitled "An Act to amend Articles 1133, 1134 and 1138 of the Revised Code of Criminal Procedure of the State of Texas of 1911, defining the duties of the district judge and the Comptroller of Public Accounts in examining, auditing and approving, all bills, claims and accounts against the State for fees and salaries in felony cases, in favor of witnesses, district, county and precinct officers; de-

fining the duties of the district clerk, and providing a penalty for his failure to perform such duties, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Gibson:

Senate bill No. 336, A bill to be entitled "An Act granting to Fannin county a more efficient road law, and empowering said county, or any defined district therein, to issue bonds in any amount not to exceed one-fourth of the assessed value of the real property of said county, or defined district, when the same shall have been authorized by a two-thirds majority of the resident property taxpayers, qualified voters of such county, or in such district, at an election held for that purpose, and to levy and collect taxes to pay the interest on such bonds and to provide a sinking fund for the redemption thereof, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads or turnpikes, and prescribing ways and means of conducting and supervising said work; providing for condemnation of right of way for road purposes; requiring railway companies to drain right of way and bar pits when beneficial to public roads; requiring county officers to promptly deliver convicts to road guard; providing for the working of delinquent poll taxpayers on the public roads, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Watson:

Senate bill No. 337, A bill to be entitled "An Act conferring certain powers upon the commissioners courts of the counties of this State and authorizing said courts, under such regulations as they may prescribe, to appropriate and use any sum or sums of money not exceeding two thousand (\$2,000) dollars per year for farmers' co-operative demonstration work in their respective counties along the same lines as this work is or may be conducted by the United States Department of Agriculture and prescribing that they may conduct such work jointly in their respective counties with the agents and representatives of the United States Department of Agriculture upon such terms and conditions as may be agreed upon between the agents of the Department of Agriculture and the commissioners court, and declaring an emergency."

Read first time and referred to Committee on Agricultural Affairs.

By Senator Hudspeth:

Senate bill No. 338, A bill to be entitled "An Act to reorganize the Thirty-eighth, the Fifty-first and Sixty-third and Seventieth Judicial Districts of the State of Texas; and to create the Seventy-fifth Judicial District of the State of Texas; and to prescribe the time, and fix the terms of holding the courts in each of said judicial districts; and to conform all writs and process from such courts to such changes, and to provide for the appointment and election of a district judge and district attorney in said Seventy-fifth Judicial District; and to make all process issued or served before this act takes effect, including recognizances and bonds, returnable to the terms of the courts in the several districts as herein fixed, to validate such process, and to validate the summoning of grand and petit jurors and juries, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Hudspeth:

Senate bill No. 339, A bill to be entitled "An Act to create a more efficient road system for Tom Green county, Texas, and making county commissioners of said county ex-officio road commissioners of their respective precincts, and prescribing their powers and duties, as such, and providing for their compensation; and providing for the condemning of material for the construction and maintenance of public roads, and to provide for compensation for such material used; and providing for the working of county convicts on the public roads of said county and the purchase of supplies for such convicts, and rewards for the capture of escaped county convicts and for the commutation of sentence for faithful service and good behavior; and defining the powers and duties of road overseers in said county, and to provide for the summoning of hands and teams for road work and the allowance for time for services of hands and teams on said public roads; and fixing a penalty for violation of same and relieving them from the payment of such work by payment of three dollars; and providing further, making this act cumulative of the General Laws now in force when not in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Willacy:

Senate bill No. 340, A bill to be entitled "An Act making appropriations to pay salaries of judges, and for the support of the judicial department of the State government for two years, beginning September 1, 1913, and ending August 31, 1915."

Read first time and referred to Committee on Finance.

By Senator Johnson:

Senate bill No. 341, A bill to be entitled "An Act to create a more efficient road system for Wichita county, in the State of Texas, and making county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and defining the powers and duties of the commissioners courts of said county and fixing a penalty for the violation of this act, and to repeal all laws in conflict with this act, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Conner:

Senate bill No. 342, A bill to be entitled "An Act to amend article 854, Revised Statutes, 1911, by adding Articles 854a and 854b, authorizing the sale and conveyance by cities and towns of public squares or parks and providing for the investment of the proceeds of such sale; and the closing for exclusive use, temporarily or perpetually by any railroad company or other corporation having power of eminent domain any part or parts of any street or streets, alley or alleys, and to ratify or confirm any prior ordinance closing any street or streets, alley or alleys or any part or parts thereof for the use of any railroad company or such other corporation submitting the sale of public square or park or the closing of a street or alley or the part or the parts of a street or alley to the vote of the qualified voters, and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

SENATE BILL NO. 177.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 177, A bill to be entitled "An Act to amend Article 1430, Chapter 18, Title 17, of the Revised Criminal

Statutes of Texas, 1911, being an act entitled, Fraudulent Disposition of Mortgaged Property, and providing for penalty for the removal of same or for selling or disposing of same, and providing that sale, removal or disposition shall constitute prima facie evidence of intent to defraud."

There being a favorable majority committee report, and an adverse minority committee report,

Senator Wiley moved to adopt the majority (favorable) committee report.

RECESS.

On motion of Senator Lattimore, the Senate, at 12:35 o'clock p. m., recessed until 2:30 o'clock today.

AFTER RECESS.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Mayes.

SENATE BILL NO. 177.

Action recurred on the pending business, Senate bill No. 177, the question being on the motion by Senator Wiley to adopt the majority (favorable) committee report.

Senator Watson moved to substitute the minority (adverse) committee report in lieu of the majority (favorable) committee report, which motion prevailed.

SENATE BILL NO. 114.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 114, A bill to be entitled "An Act to exempt from the provisions of Chapter 76, of the General Laws of the State of Texas, passed by the Thirty-second Legislature at its Regular Session, entitled 'An Act to regulate the practice of veterinary medicine, surgery and dentistry, creating a board for the examination of applicants for the practice of veterinary medicine, surgery and dentistry; prescribing their powers, duties and qualifications; said board to be known as the "State Board of Veterinary Medical Examiners"; prescribing

penalties for a violation of the provisions of this act, and declaring an emergency,' all of those who had been for three years before said act went into effect regularly engaged in the counties of their residence in the practice of veterinary medicine, surgery and dentistry, and declaring an emergency."

The bill was read and Senator Astin offered the following amendment, which was read and adopted:

Amend the bill, line 7, page 2, by inserting after the word "act" and before the word "shall" the following: "And be required to register with the State Board of Veterinary Medical Examiners not later than January 1, A. D. 1914, by filing with said board a copy of said certificate."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend bill, page 2, line 11, by striking out "participating" and inserting "practicing."

The bill was passed to engrossment.

SENATE BILL NO. 203.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 203, A bill to be entitled "An Act fixing the number of members constituting the governing boards of the University of Texas, the Agricultural and Mechanical College of Texas, the College of Industrial Arts for Women, and the State Normal Schools; fixing the terms of office of the members and manner of their appointment; providing for overlapping terms, and declaring an emergency."

The bill was read, and Senator Darwin offered the following amendment, which was read and adopted:

Amend the bill, page 1, line 32, by striking out the words "not more than one," just before the word "member," and inserting the word "no" just before the word "member."

Senator Darwin offered the following amendment:

Amend the bill, page 2, line 1, by striking out all after the word "appointed" by striking out all of line 2 and all of line 3 to and including the word "art," just before the word "shall," and by adding after the word "appointed," in line 1, the words "under the provisions of this act."

Senator Willacy offered the following substitute for the amendment:

Amend by striking out all after the word "for," in line 32, of page 1, of the printed bill, down to and including the word "located," in line 5, page 2.

The substitute was adopted and the amendment, as substituted, was adopted.

Senator Lattimore offered the following amendment, which was read and adopted:

Amend bill, page 2, line 6, by inserting, after the figure "3" and before the word "the," the following, "members of."

Senator Lattimore offered the following amendment, which was read and adopted:

Amend bill, page 2, line 8, by inserting after the word "meeting" the following, "after this act shall become a law."

The bill was passed to engrossment.

SENATE BILL NO. 127.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 127, A bill to be entitled "An Act to amend Article 1513, Chapter 13, Title 18, of the Penal Code of the State of Texas, as adopted at the Regular Session of the Thirty-second Legislature, 1911, relating to the selling, bartering, or giving away of examination questions for teachers' certificates, adding Articles 1513a, 1513b, repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

The bill was read, and Senator Wiley offered the following amendment, which was read and adopted:

Amend the bill, page 2, line 4, by striking out the word "article" and inserting the word "act."

Senator Nugent offered the following amendment, which was read and adopted:

Amend the bill, line 4, page 2, by inserting between the words "county" and "who" the words "or any other persons."

Senator Collins offered the following amendment, which was read and adopted:

Amend the bill as follows: In line 7, page 2, by striking out the word "five" and insert in lieu thereof the word "three."

The bill was passed to engrossment.

REFUSE TO ADJOURN.

Senator McNealus, at 4:25 o'clock p.

m., moved that the Senate adjourn until 10 o'clock Monday morning.

The motion was lost.

SENATE BILL NO. 151.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 151, A bill to be entitled "An Act to prohibit foreign corporations from removing suits against them to the district courts of the United States and providing for the forfeiture of the rights of such foreign corporations to do business in the State of Texas, upon filing an application to remove any civil suit pending or hereafter brought against it in the State court to any of the district courts of the United States, and declaring an emergency."

The bill was read and Senator Carter offered the following amendment, which was read and adopted:

Amend Senate bill No. 151 by striking out Sections 1 and 2 thereof and substituting therefor the following, to be known as Section 1, and renumber the sections to conform therewith:

Section 1. No permit shall be issued to do business in this State to any corporation organized or created under the laws of any other State or of any territory of the United States, or of any municipality of such State or territory, or of any foreign government, sovereignty or municipality, for a longer period than ten years from the date of filing its articles of incorporation with the proper authorities of this State, and if any corporation shall, without the consent of the other party to any suit or proceeding brought against it in any court of this State, remove said suit or proceeding to any Federal court or shall institute any suit or proceeding against any domestic corporation or citizen of this State in any Federal court, proof of such fact being made shall authorize the proper officer of this State with whom said charter is filed and permit issued to forthwith revoke the permit of such corporation to do business in this State, and said corporation shall be forever barred from thereafter doing business in this State.

Senator Carter offered the following amendment, which was read and adopted:

Amend Senate bill No. 151 by striking out the entire caption thereof down to the enacting clause, and substituting

in lieu thereof the following new caption:

"A bill to be entitled an act prescribing the period of time that a permit issued to a non-resident corporation shall be effective, and prescribing the grounds for the forfeiture of said permit, and declaring an emergency."

Senator Carter offered the following amendment, which was read and adopted:

Amend Senate bill No. 151 by striking out Section 3, the emergency clause, and substituting therefor a new section to be numbered Section No. 2, to read as follows:

"Section 2. Whereas, The laws of this State are imperfect and insufficient to properly regulate non-resident corporations having a permit to do business in this State in regard to the removal of cases from the State to Federal courts without the consent of the other party, and with reference to the bringing of suits to Federal courts by such corporations against citizens or domestic corporations of this State, and

Whereas, It is necessary, in order to properly protect the citizens of this State from imposition by corporations having a permit to do business in this State, that the laws in respect to the removal of causes, be amended so as to provide for the cancellation of the permit when the same is done without the consent of the other party to the litigation, and the crowded condition of the calendar of both houses and the lateness of the session all and each, create an emergency and an imperative public necessity demanding that the constitutional rule requiring bills to be read on three several days in both houses be suspended and the same is accordingly so done, and that this act take effect and be in force from and after its passage, and it is so enacted."

The bill was passed to engrossment.

SENATE BILL NO. 179.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 179, A bill to be entitled "An Act to repeal Articles 1140, 1141, 1142 and 1144, Chapter 16, Title 15, Revised Penal Code of the State of Texas, 1911, and to insert in lieu thereof new Articles 1140 and 1141, defining murder and fixing all laws and parts of laws in conflict therewith, and declaring an emergency."

37—S.

The bill was read second time, and Senator Nugent offered the following amendment, which was read and adopted:

Amend the bill, line 31, page 1, by changing the word "that" to "the," after the word "and."

Senator Wiley offered the following amendment, which was read and adopted:

Amend the bill, page 1, line 19, by inserting the word "unlawfully" after the word "shall."

Senator Taylor offered the following amendment, which was read and adopted:

Amend the bill by inserting the word "is" between the words "it" and "so," page 2, line 5.

Senator Lattimore offered the following amendment:

Amend bill, page 1, line 26, by adding after the word "for," the following: "provided that if the murder be committed by poison, starving, torture, or in the perpetration or attempt at the perpetration of arson, rape, robbery or burglary, the person committing same shall be punished by death or confinement in the penitentiary for life."

Senator Wiley offered the following amendment to the amendment:

Amend the amendment by striking out the words "by death."

The amendment to the amendment was read and lost.

Senator Morrow moved to table the amendment, which motion to table was adopted.

The bill, having been read second time, was passed to engrossment.

ADJOURNMENT.

On motion of Senator McNealus, the Senate, at 5:30 o'clock p. m., adjourned until 10 o'clock Monday morning.

APPENDIX.

BILLS SIGNED.

The Chair, Lieutenant Governor Mayes, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

Senate bill No. 36, "An Act to enlarge the jurisdiction of the county court of Harris county for civil cases so as to confer upon it, in addition to the jurisdiction now vested in said court, jurisdiction over misdemeanor criminal cases; and to change the name of the said

county court of Harris county for civil cases; and providing for the transfer of the misdemeanor criminal cases now pending upon the docket of the criminal district court of Harris county to the docket of the said county court; and providing for the compensation of the judge of said court; and providing that the clerk of the criminal district court of Harris county shall attend upon said county court in all criminal matters, and declaring an emergency."

Senate bill No. 129, "An Act to provide that owners of public free school land, purchased from the State after January 1, 1907, and prior to January 1, 1913, on consideration of settlement and residence, which land may hereafter be forfeited for the non-payment of interest, shall have a right to purchase the same after forfeiture and prescribing the terms and conditions of such purchase and the sale of such land as may not be reinstated or repurchased, and declaring an emergency."

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, February 18, 1913.
Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 32, A bill to be entitled "An Act to amend Section 2, Chapter 42, of the Acts of the Thirtieth Legislature as amended by Acts of the Thirty-second Legislature, relating to the granting of free passes, over railroads and other lines of transportation,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass with amendments:

Amend bill, line 15 of Section 2, by inserting after the word "salary" the following: "also regularly salaried employes who are notaries public."

Amend the bill, page 2, line 4 from the bottom by inserting after the words "Confederate Home" the following: "Or Confederate soldiers, or their wives or widows, when going to or returning from any reunion of old soldiers."

Amend bill, page 2, line 3 from bottom by inserting after the word "association" the following: "and Young Women's Christian Associations."

Amend the bill by inserting after the amendment on page 2, line 4, the following: "Provided, that if such free

transportation be issued to any Confederate veteran, wife, or widow, to attend any particular reunion, that such free transportation shall be issued to every such veteran, wife or widow, applying for free transportation to that particular reunion, and producing satisfactory evidence that they are such."

Amend bill, page 2, lines 5 and 4 from the bottom by inserting after the word "veterans" the following: "or their widows," and by inserting after the words "Confederate Home" the following: "or to the Home for Confederate Widows."

KAUFFMAN, Chairman.

Committee Room,
Austin, Texas, February 21, 1913.
Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

House Concurrent Resolution No. 12, Requesting the Congress of the United States to make necessary appropriation and have necessary steps taken to protect the channel at the port of Galveston,

Have had the same under consideration and report the same back to the Senate with the recommendation that it do pass and be not printed.

KAUFFMAN, Chairman.

Committee Room,
Austin, Texas, February 18, 1913.
Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 175, A bill to be entitled "An Act to amend Article 6553 of Title 115, Chapter 10 of the Revised Civil Statutes of 1911, relating to railroad train dispatchers, and affixing a penalty,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

KAUFFMAN, Chairman.

Committee Room,
Austin, Texas, February 18, 1913.
Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 174, A bill to be entitled "An Act to amend Article 6639 of Chapter 13, Title 115, of the Revised Civil Statutes of the State of Texas, 1911.

relating to duties of railroad agents, and affixing a penalty,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

KAUFFMAN, Chairman.

Committee Room,
Austin, Texas, February 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 239, A bill to be entitled "An Act to amend Subdivision 60, of Article 1121 of Chapter 2, of title 25, of the Revised Civil Statutes of Texas, of 1911, adopted at the Regular Session of the Thirty-second Legislature, and authorizing the formation of corporations for the construction and operation of interurban electric, gas or gasoline, denatured alcohol or naphtha motor railways, with power to own, construct and operate union depots and office buildings,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass with amendments:

Amend Senate bill No. 239 by adding to the caption at the end thereof, "and authorizing those heretofore organized to own and operate office buildings, and providing the method for amending their charters so as to expressly include such authority."

Amend the body of the bill by substituting for Section 2, the following, viz: "That any corporation heretofore organized under the general laws of this State and which now owns or operates a line of electric, gas or gasoline, denatured alcohol or naphtha motor railway within and between any cities or towns in this State, shall be, and the same hereby is, authorized to own and operate office buildings, and may, by proceeding in the manner provided by existing laws, amend its articles of incorporation so as to expressly include such authority."

Amend by numbering Section 2 as numbered in the original bill, to read "Section 3."

Amend bill, line 6 of Section 60, by adding after the word "buildings" and before the period, the following: "for their own use."

KAUFFMAN, Chairman.

Committee Room,

Austin, Texas, February 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

House bill No. 167, A bill to be entitled "An Act to authorize the Gulf, Colorado and Santa Fe Railway Company to purchase, own and operate the railroad of the Concho, San Saba and Llano Valley Railroad Company, with its franchises and appurtenances; the railroad of the Gulf and Interstate Railway Company of Texas with its franchises and appurtenances; or either or any of such railroads with its or their franchises and appurtenances; and until such purchase or purchases is or are made, to authorize lease by the Gulf, Colorado and Santa Fe Railway Company of the railroad and other properties of said other companies, or of either or any of them and to authorize the Gulf, Colorado and Santa Fe Railway Company to lease that portion of the railroad of the Pecos and Northern Texas Railway Company situated between Coleman, Texas, and Sweetwater, Texas, including the railway terminals and other property of the Pecos and Northern Texas Railway Company now or hereafter situated in said cities of Coleman and Sweetwater; and to authorize the Pecos and Northern Texas Railway Company to contract with the Gulf, Colorado and Santa Fe Railway Company for the operation by the officers of the Gulf, Colorado and Santa Fe Railroad Company of said railroad between Coleman and Sweetwater,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

KAUFFMAN, Chairman.

Committee Room,

Austin, Texas, February 20, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Labor, to whom was referred

Senate bill No. 261, A bill to be entitled "An Act to regulate the employment of children in certain occupations; to provide for the issue of certificates of employment; to require seats to be provided for female employes under twenty-one years of age; to limit the hours of employment of children in certain occupations; to provide for the inspection of factories and other places of employment for the purpose of ascer-

taining whether or not children are being employed in violation of this act; and to fix penalties for the violation of this act."

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass with the following amendments:

Amend Section 3 by adding at the end of the section "provided, that this section shall not apply to looms or textile spindles or warping or drawing machinery."

Amend Section 4, subsection 11, by striking out the words "mine or quarry" and adding at the end of the section the following words: "no child under the age of seventeen years shall be employed or permitted or suffered to work in any mine or quarry."

Amend Section 7 by striking out the word "two" in line 3 and substituting therefor the word "thirty," and by adding at the end of the section the words "when such reasons are demanded by the child."

Amend Section 9, subsection 1, by striking out the word "two" and substituting the word "thirty."

Amend Section 9, subsection 4, division (d) by striking out the words "such application shall be filed for not less than thirty days for an examination to be made if the statements contained therein, and in case no facts appear within such period or by such examination tending to discredit or contradict any material statement of such application" and substituting the words "upon the filing of such application."

Amend Sections 10 and 12 by adding to each the words: "provided that such educational requirements and school certificate shall not be required until four years after the adoption of this act."

Amend Sections 17 and 19 by adding to each the words: "the provisions of this section shall not apply to looms or textile spindles or warping, combing or drawing machinery."

Amend Section 21 by striking out the words "no boy under the age of sixteen and no girl under the age of eighteen" and substituting therefor the words "no child under the age of fifteen."

TAYLOR, Chairman.

Committee Room,

Austin, Texas, February 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Public

Lands and Land Office, to whom was referred

Senate bill No. 277, A bill to be entitled "An Act granting relief to any person who has filed on any public land in this State, and who has been compelled to defend a law suit to obtain title to and possession of said land because of an erroneous award of same to an adverse party by the General Land Office, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

MURRAY, Chairman.

Committee Room,

Austin, Texas, February 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Public Lands and Land Office, to whom was referred

A simple resolution, being a resolution to suspend forfeiture of lands until questions of law and facts can be determined,

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

MURRAY, Chairman.

Committee Room,

Austin, Texas, February 22, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 315, A bill to be entitled "An Act to authorize and empower the State Normal Schools Board of Regents of the State of Texas to acquire by purchase or condemnation for the use and benefit of any State Normal School, which now is or may hereafter be, under the control of said board of regents, such lands within the counties where such schools, or either of them, are now or may hereafter be located, as they may deem expedient for sites on which to erect and maintain buildings, and for the extension of the campus and other purposes in the conduct of any of the said State Normal Schools, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

JOHNSON, Chairman.

Committee Room,
Austin, Texas, February 22, 1913.
Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 240, A bill to be entitled "An Act to authorize and permit the Crosbyton Independent School District to increase its territory and to incorporate the whole thereof as an independent school district for free school purposes only, to be known as the Crosbyton Independent School District, with all the powers, rights and duties of independent school districts formed by incorporations of towns and villages for free school purposes only, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

JOHNSON, Chairman.

Committee Room,
Austin, Texas, February 22, 1913.
Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 310, A bill to be entitled "An Act to amend Section 1, of Chapter 6 of the Special Laws of the First Called Session of the Thirty-second Legislature, entitled 'An Act creating the Lakeview Independent School District in Hall county, Texas; providing for a board of trustees in said independent school district, and conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of the State upon independent school districts and boards of trustees thereof, and declaring an emergency, for the purpose of correcting and better defining the boundaries thereof, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

JOHNSON, Chairman.

Committee Room,
Austin, Texas, February 22, 1913.
Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 311, A bill to be entitled "An Act creating the Roaring Springs Independent School District, in Motley county, Texas, defining its boundaries, providing for the election of a board of trustees to manage and control the public free schools within said district, investing said district with rights, powers, privileges and duties of a town or village incorporated for free school purposes only, under the general laws, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

JOHNSON, Chairman.

Committee Room,
Austin, Texas, February 22, 1913.
Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 278, A bill to be entitled "An Act to amend Articles 2750, 2758 and 2771 of the Revised Civil Statutes of the State of Texas, adopted by the Regular Session of the Thirty-second Legislature, 1911, relating to the office of county superintendent of public instruction, to the salary of the county superintendent of public instruction, and to the treasurers (depositories) of certain independent school districts, so as to provide for the election of county superintendent of public instruction by the county board or the county boards of education, for the grouping of certain counties for supervisory purposes by the State Superintendent of Public Instruction, for the county commissioners' court to furnish an office for the county superintendent, for defining the qualifications and eligibility of the county superintendent, and for supplying clerical help under certain conditions; to provide for the salary of the county superintendent of public instruction and fixing limitations with respect thereto, for paying necessary office expenses; to provide for the depositories of the funds of certain independent school districts and defining the authority of the county superintendent with respect thereto; to repeal all laws or parts of laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

JOHNSON, Chairman.

Committee Room,
Austin, Texas, February 22, 1913.
Hon. Will H. Mayes, President of the
Senate.

Sir: Your Committee on Finance, to
whom was referred

Senate bill No. 296, A bill to be entitled
"An Act making appropriations for de-
ficiencies in appropriations heretofore
made for the support of the State Gov-
ernment for the fiscal years ending Au-
gust 31, 1910, August 31, 1911, August
31, 1912 and August 31, 1913, being for
claims registered in the office of the
Comptroller in accordance with law and
for outstanding claims not registered
and to make additional emergency ap-
propriations for the support of the State
Government for the years ending
August 31, 1912, and August 31, 1913,
and declaring an emergency."

Have had the same under considera-
tion and I am instructed to report the
same back to the Senate with the recom-
mendation that it do pass.

WILLACY, Chairman.

Committee Room,
Austin, Texas, February 18, 1913.
Hon. Will H. Mayes, President of the
Senate.

Sir: Your Committee on Engrossed
Bills have carefully examined and com-
pared

Senate bill No. 120, A bill to be entitled
"An Act to prohibit any person from
maliciously, wilfully or wantonly mak-
ing or circulating any false statement
against any civil officer or candidate for
any State, county, precinct, or muni-
cipal office, for the purpose of injuring
or which would reasonably injure the
character or candidacy of such officer or
candidate, and to affix a penalty there-
for, fixing venue and declaring an
emergency."

And find the same correctly engrossed.

TAYLOR, Acting Chairman.

Committee Room,
Austin, Texas, February 18, 1913.
Hon. Will H. Mayes, President of the
Senate.

Sir: Your Committee on Engrossed
Bills have carefully examined and com-
pared

Senate bill No. 244, A bill to be entitled
"An Act to amend Section 2 of a spe-
cial act entitled 'An Act to authorize
and permit the territory situated within
the bounds of the town of Floydada in
the county of Floyd, and State of Texas,
and other land and territory adjacent
thereto, to incorporate as an independent

school district for free school purposes
only, to be known as the Floydada In-
dependent School District formed by in-
corporations of towns and villages for
free school purposes only,' and enacted
by the Twenty-ninth Legislature of the
State of Texas, approved the 17th day of
April, 1905, so as to include in the dis-
trict thus formed additional territory,
and declaring an emergency."

And find the same correctly engrossed.

TAYLOR, Acting Chairman.

Committee Room,
Austin, Texas, February 22, 1913.
Hon. Will H. Mayes, President of the
Senate.

Sir: Your Committee on Engrossed
Bills have carefully examined and com-
pared

Senate bill No. 72, A bill to be entitled
"An Act to amend Article 5644, Chapter
4, Title 68, Revised Statutes, of 1911,
General Laws of 1897, Acts of Twenty-
sixth Legislature, same being 'An Act
to protect accountants, mill bookkeepers,
artisans, craftsmen, factory operatives,
mill operatives, servants, mechanics,
quarrymen, common laborers and farm
hands; to provide a lien, and prescribe
the time of payments, and in lawful
money of the United States; and pre-
scribing the rights of the assignees of
such persons, etc.,' by adding to the
kind of character of such laborers or
persons all laborers who may perform
any service in like manner in the cut-
ting, preparation, handling, hauling or
transporting to any mill or other point
for sale, manufacture or other disposi-
tion logs or other timber, and all labor-
ers who may in like manner perform any
service upon any wagons, carts, tram or
railroad, or other means or method of
transporting such logs or timber, and in
the construction or maintenance of such
tram or railroad, constructed or used for
the transportation of logs or timber to
or for such mill or its owner or opera-
tor, or to points for sale, shipment or
other disposition, repealing all laws and
parts of laws in conflict herewith, and
declaring an emergency."

And find the same correctly engrossed.

TAYLOR, Acting Chairman.

Committee Room,
Austin, Texas, February 22, 1913.
Hon. Will H. Mayes, President of the
Senate.

Sir: Your Committee on Engrossed
Bills have carefully examined and com-
pared

Senate bill No. 269, A bill to be entitled

"An Act to amend subdivision 45 of Article 1121 of Title 25 of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-second Legislature, so extending the powers of sanitariums as to allow the ownership of real estate, and developing of irrigation, the ownership of hotels and bath houses, the maintaining of training schools and outdoor sports for its patients,"

And find the same correctly engrossed.
TAYLOR, Acting Chairman.

Committee Room,
Austin, Texas, February 22, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 204, A bill to be entitled "An Act defining and creating the occupation of contracting stevedore; requiring all such to execute bond payable to the county judge, conditioned to protect and pay wages to laborers employed by such contracting stevedores in loading and unloading ships, vessels or other water crafts, and requiring all such to obtain a license before engaging in such occupation in each county in which they pursue it; making it unlawful to pursue said occupation without first giving the bond and obtaining the license, and punishing such as a misdemeanor by fine, and declaring an emergency,"

And find the same correctly engrossed.
TAYLOR, Acting Chairman.

Committee Room,
Austin, Texas, February 22, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 150, A bill to be entitled "An Act fixing the salaries of the judges of the Supreme Court and Court of Criminal Appeals and the Courts of Civil Appeals in this State, and declaring an emergency,"

And find the same correctly engrossed.
TAYLOR, Acting Chairman.

FLOOR REPORT.

Austin, Texas, February 22, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Agricultural Affairs, to whom was referred

Senate bill No. 337, A bill to be entitled "An Act conferring certain powers upon the commissioners' courts of the counties of this State and authorizing said courts, under such regulations as they may prescribe, to appropriate and use any sum or sums of money not exceeding two thousand (\$2,000) dollars per year for farmers' co-operative demonstration work in their respective counties along the same lines as this work is or may be conducted by the United States Department of Agriculture and prescribing that they may conduct such work jointly in their respective counties with the agents and representatives of the United States Department of Agriculture upon such terms and conditions as may be agreed upon between the agents of the department of agriculture and the commissioners court, and declaring an emergency,"

Have had the same under consideration, and we report it back to the Senate with the recommendation that it do pass and be not printed.

Astin, Chairman; Murray. Taylor, Conner.

PETITIONS AND MEMORIALS.

By Senator Cowell:

Petition numerously signed by a delegation from the Northeast Texas District Farmers' Union, requesting support of Senate joint resolution providing for the initiative, referendum and recall.

By Senator Lattimore:

Petition numerously signed requesting support of any measure which looks to placing the fish and oyster industry of the State on a sane business basis and that its administration be placed in the hands of a board of commissioners and that a biologist be employed.

By Senator Cowell:

Petition numerously signed by employees of the Texas Cotton Mill at McKinney, Texas, expressing satisfaction with the present statutes regulating work hours of employes and asking that no changes be made.

By Senator Johnson:

Petition numerously signed by citizens of Wilbarger county requesting support of bill providing for State aid in establishing and maintaining the farmers' co-operative demonstration work now being carried on by the United States Department of Agriculture.

By Senator McGregor:

Petition signed numerously by members of the William B. Travis Chapter D. A. R. of Texas, urging enactment of House bill No. 162 giving custody of the Alamo mission property to the Daughters of the Republic of Texas.

By Lieutenant Governor Will H. Mayes:

Invitation signed by F. L. Kebelman, chairman executive committee of the students of the Engineering Department of State University, requesting attendance of the Legislature on ceremonies honoring Dean T. U. Taylor, on the athletic field Saturday morning, February 22, at 10 o'clock.

By Lieutenant Governor Will H. Mayes:

Letters and telegrams signed by citizens of various Texas towns and cities urging support of House bill No. 22, known as the Married Woman's Rights bill.

By Senators Johnson, Taylor, Cowell, Darwin, Astin, Lattimore and Townsend:

Petition numerously signed by citizens of their respective districts, requesting support of Senate bill No. 27, and House bill No. 20, regulating the sale of medicines from rural wagons.

By Lieutenant Governor Mayes and Senators Johnson and Wiley:

Petitions numerously signed request-

ing opposition to legislation which would impose high license upon rural wagon salesmen of medicines, etc.

By Senators Nugent and Johnson:

Numerous telegrams and petitions numerously signed protesting against passage of full crew bill.

By Senators Nugent, Darwin, Taylor, Cowell and Johnson:

Numerous telegrams and petitions signed numerously by citizens of various towns and cities of Texas urging passage of the M., K. & T. consolidation bill over the veto of the Governor.

By Senators Kauffman, Nugent and Lattimore:

Petitions numerously signed by members of the Ministerial Association of Galveston, Texas, citizens of El Paso, Texas, Celeste, Hunt county, Texas, protesting against the passage of the Collins and Parks bill and urging support of Lattimore bill regulating Sunday amusements.

By Senator McNealus:

Resolutions passed by the board of directors of the Dallas, Texas, Chamber of Commerce, signed by the officers thereof, expressive of the advantage which Texas would derive from the enactment of the M. K. & T. Railway consolidation bill and urging support of the measure by the Dallas county representatives when it comes again before the Legislature.

In Memory of Hon. T. B. Wheeler

Senator Willacy offered the following resolution:

Whereas, Information has been received of the death of ex-Lieutenant Governor T. B. Wheeler; and

Whereas, God, in his infinite wisdom, has seen fit to call one of our State's most prominent and useful citizens from the councils of men unto his final reward in heaven; therefore be it

Resolved, That in the death of ex-Lieutenant Governor Wheeler, our State has lost a most useful and influential citizen, whose public and private life stood as an example of honesty and purity of character; and be it further

Resolved, That we deeply sympathize with those whom God had intrusted to his immediate care and keeping, and that, in token of the regard of the people of Texas for his sterling worth as a public officer as well as a private citizen, we, the Senate of Texas, do hereby convey our sympathy to his bereaved family in this their hour of sorrow; and further be it

Resolved, That when the Senate stands adjourned today, the same shall be out of respect to his memory; and further be it

Resolved, That the Secretary of the Senate be, and hereby is instructed to send a copy of this resolution to the widow and children of our departed friend and public citizen; and further, to dedicate one page of the Senate Journal to his memory.

WILLACY.
MURRAY.
NUGENT.

The resolution was read and unanimously adopted by a rising vote.